


  
**FEDERAL REGISTER**  
 OF THE UNITED STATES 1934  
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*Washington, Friday, April 25, 1941*

**The President**

**EXECUTIVE ORDER**

**EXTENDING THE CLASSIFIED CIVIL SERVICE**

By virtue of the authority vested in me by section 1 of the act of November 26, 1940, entitled "Extending the Classified Executive Civil Service of the United States" (54 Stat. 1211), by the Civil Service Act (22 Stat. 403), and by section 1753 of the Revised Statutes of the United States, it is hereby ordered as follows:

**SECTION 1.** All offices and positions in the executive civil service of the United States except (1) those that are temporary, (2) those expressly excepted from the provisions of section 1 of the said act of November 26, 1940, (3) those excepted from the classified service under Schedules A and B of the Civil Service Rules, and (4) those which now have a classified status, are hereby covered into the classified civil service of the Government.

**SECTION 2.** Section 1 of this order shall become effective on January 1, 1942, except that as to positions affected thereby which are vacant at any time after June 30, 1941, and before January 1, 1942, it shall become effective when the vacancies first exist during such period, and appointments to such vacant positions shall be made in accordance with the Civil Service Rules as amended by section 3 of this order, unless prior express permission is given by the Civil Service Commission for appointment without regard thereto.

**SECTION 3.** (a) Upon consideration of the report of the Committee on Civil Service Improvement (House Document No. 118, 77th Congress) appointed by Executive Order No. 8044 of January 31, 1939,<sup>1</sup> it is hereby found and determined that the regulations and procedures hereinafter prescribed in this section with respect to attorney positions in the classified civil service are required by the conditions of good administration.

(b) There is hereby created in the Civil Service Commission (hereinafter re-

ferred to as the Commission) a board to be known as the Board of Legal Examiners (hereinafter referred to as the Board). The Board shall consist of the Solicitor General of the United States and the Principal Legal Examiner of the Civil Service Commission, as members *ex officio*, and nine members to be appointed by the President, five of whom shall be chosen from the chief law officers of the Executive departments, agencies, or corporate instrumentalities of the Government, two from the law-teaching profession, and two from attorneys engaged in private practice. The President shall designate the chairman of the Board. Five members shall constitute a quorum, and the Board may transact business notwithstanding vacancies thereon. Members of the Board shall receive no salary as such, but shall be entitled to necessary expenses incurred in the performance of their duties hereunder.

(c) It shall be the duty of the Board to promote the development of a merit system for the recruitment, selection, appointment, promotion, and transfer of attorneys in the classified civil service in accordance with the general procedures outlined in Plan A of the report of the Committee on Civil Service Improvement, appointed by Executive Order No. 8044 of January 31, 1939.

(d) The Board, in consultation with the Civil Service Commission, shall determine the regulations and procedures under this section governing the recruitment and examination of applicants for attorney positions, and the selection, appointment, promotion, and transfer of attorneys, in the classified service.

(e) The Commission shall in the manner determined by the Board establish a register or registers of eligibles from which attorney positions in the classified service shall be filled: *Provided*, That any register so established shall not be in effect for a period longer than one year from the date of its establishment. Upon request of the Board, the Commission shall designate appropriate regions or localities and appoint regional or local boards of examiners composed of three persons approved by the Board, within

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**THE PRESIDENT**

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(g) Any person whose name has been placed upon three registers of eligibles covering positions of the same grade, and who has not been appointed therefrom, shall not thereafter be eligible for placement upon any subsequently established register covering positions of such grade.

(h) The eligibles on any register for attorney positions shall be apportioned among the several States and Territories and the District of Columbia upon the basis of population as ascertained at the last preceding census, and the Commission shall certify to the appointing officer for each vacancy all the names on the appropriate register which meet the apportionment requirements: *Provided*, That whenever the Board shall be of the opinion that apportionment of eligibles on any register for attorney positions is not warranted by conditions of good administration, it shall so notify the Commission, which shall thereafter certify all the persons on such register to the appropriate appointing officer. The appointing officer shall make selections for any vacancy or vacancies in attorney positions from the register so certified, with sole reference to merit and fitness.

(i) Any position affected by this section which is vacant after June 30, 1941, may be filled before available registers have been established pursuant to this section only by the appointment of a person who has passed a noncompetitive examination prescribed by the Commission with the approval of the Board, and such person after the expiration of six months from the date of his appointment shall be eligible for a classified civil-service status upon compliance with the provisions of section 6 of Civil Service Rule II, other than those provisions relating to examination.

(j) The incumbent of any attorney position covered into the classified service by section 1 of this order may acquire a classified civil-service status in accordance with the provisions of section 6 of Civil Service Rule II: *Provided*, That the noncompetitive examination required thereunder shall be prescribed by the Commission with the approval of the Board.

(k) The Commission with the approval of the Board shall appoint a competent person to act as Secretary to the Board; and the Commission shall furnish such further clerical, stenographic, and other assistants as may be necessary to carry out the provisions of this section.

(l) The Civil Service Rules are hereby amended to the extent necessary to give effect to the provisions of this section.

SECTION 4. The noncompetitive examinations prescribed pursuant to sections 3 and 6 of this order and section 2 (a) of the said act of November 26, 1940, shall, among other things, require any person taking such examination to meet such reasonable standards of physical fitness and personal suitability as the Civil Service Commission may prescribe.

SECTION 5. Persons who on the effective date of section 1 of this order are

on furlough or leave without pay from any position covered into the classified service by that section may be recalled to duty within one year of the date that they are furloughed or given leave without pay, and may be continued in such positions thereafter but shall not thereby acquire a classified civil-service status. If they are not recalled to duty within the time specified herein, they shall be separated from the service.

SECTION 6. Any person who in order to perform active service with the military or naval forces of the United States has left, or leaves, a position (other than a temporary position) which is covered into the classified civil service under section 1 of this order shall be reinstated in the department or agency to the position in which he last served or to a position of like seniority, status, and pay in the same department or agency, and upon reinstatement thereto may acquire a classified civil-service status: *Provided*, (1) that he has been honorably discharged from the military or naval service, (2) that he makes application for reinstatement within forty days of such discharge, (3) that the head of the department or agency concerned recommends within one year of his reinstatement that he be permitted to acquire a classified civil-service status and certifies that he has served with merit for at least six months, and (4) that he qualifies in such suitable noncompetitive examination as the Commission may prescribe.

SECTION 7. Executive Order No. 8044 of January 31, 1939, is hereby revoked so far as it applies to positions covered into the classified civil service by this order.

FRANKLIN D ROOSEVELT

THE WHITE HOUSE,

April 23, 1941,

[No. 8743]

[F. R. Doc. 41-3028; Filed, April 24, 1941; 11:49 a. m.]

#### EXECUTIVE ORDER

##### AUTHORIZING CERTAIN EMPLOYEES OF THE GOVERNMENT TO ACQUIRE A CLASSIFIED CIVIL SERVICE STATUS

By virtue of the authority vested in me by section 2 of the Civil Service Act (22 Stat. 403, 404), and by section 1753 of the Revised Statutes of the United States, it is hereby ordered as follows:

The incumbent of any position covered into the classified civil service of the Government by section 1 of the Executive order of April 23, 1941, entitled "Extending the Classified Civil Service,"<sup>1</sup> who, between the date of that order and the effective date of section 1 thereof, is involuntarily separated from the service by reason of a reduction in force, the abolition of his position, or the liquidation, in whole or in part, of the agency in which he is employed, may acquire a classified civil-service status for transfer to a posi-

<sup>1</sup> Appearing on p. 2117.

or without the Federal service, to interview and examine such applicants as the Board may recommend.

(f) The number of names to be placed upon any register of eligibles for attorney positions shall be limited to the number recommended by the Board; and such registers shall not be ranked according to the ratings received by the eligibles, except that persons entitled to veterans' preference as defined in section 1 of Civil Service Rule VI shall be appropriately designated thereon.

tion in the classified civil service: *Provided*, (1) that he has rendered six months of satisfactory service immediately prior to his involuntary separation from the service; (2) that he is unqualifiedly recommended for further Government employment by the head of the agency in which he last served; (3) that he qualifies in such suitable noncompetitive examination as the Civil Service Commission may prescribe, only one such noncompetitive examination being given to any such incumbent; and (4) that he obtains such transfer within one year from the date of his separation from the service.

FRANKLIN D ROOSEVELT

THE WHITE HOUSE,  
April 24, 1941

[No. 8744]

[F. R. Doc. 41-3029; Filed, April 24, 1941;  
11:49 a. m.]

#### EXECUTIVE ORDER

##### COVERING CERTAIN POSITIONS INTO THE COMPETITIVE CLASSIFIED CIVIL SERVICE AND AMENDING SCHEDULE A OF THE CIVIL SERVICE RULES

By virtue of the authority vested in me by section 2 of the Civil Service Act (22 Stat. 403, 404), and section 1753 of the Revised Statutes of the United States, it is ordered as follows:

1. The positions of Counsel and Assistant Attorney in the Alley Dwelling Authority are hereby covered into the competitive classified civil service, and the incumbents of such positions may acquire a classified status in accordance with the provisions of section 6 of Civil Service Rule II.

2. Schedule A of the Civil Service Rules is hereby amended by adding thereto the following subdivision:

##### "XXVIII. ALLEY DWELLING AUTHORITY

1. The Executive Officer of the Alley Dwelling Authority."

FRANKLIN D ROOSEVELT

THE WHITE HOUSE,  
April 22, 1941.

[No. 8740]

[F. R. Doc. 41-3007; Filed, April 24, 1941;  
11:13 a. m.]

#### EXECUTIVE ORDER

##### REVOCAION OF EXECUTIVE ORDER NO. 5623 OF MAY 15, 1931, WITHDRAWING PUBLIC LANDS

CALIFORNIA

By virtue of the authority vested in me by the act of June 25, 1910, c. 421, 36 Stat. 847, Executive Order No. 5623 of May 15, 1931, withdrawing public lands in California pending a resurvey, is hereby revoked.

This order shall become effective upon the date of the official filing of the plat of the resurvey of the lands involved.

FRANKLIN D ROOSEVELT

THE WHITE HOUSE,  
April 23, 1941.

[No. 8741]

[F. R. Doc. 41-3006; Filed, April 24, 1941;  
11:13 a. m.]

#### EXECUTIVE ORDER

##### PARTIAL REVOCATION OF EXECUTIVE ORDER OF JULY 9, 1910, CREATING COAL LAND WITHDRAWAL, MONTANA NO. 1

##### COAL LAND RESTORATION, MONTANA NO. 93

By virtue of the authority vested in me by the act of June 25, 1910, ch. 421, 36 Stat. 847, the Executive order of July 9, 1910, creating Coal Land Withdrawal, Montana No. 1, is hereby revoked as to the following-described lands:

##### MONTANA MERIDIAN, MONTANA

T. 19 N., R. 50 E., all.  
T. 20 N., R. 50 E., all.  
T. 21 N., R. 50 E., all.  
T. 22 N., R. 50 E., all.  
T. 23 N., R. 50 E., all.  
T. 21 N., R. 51 E., all.  
T. 22 N., R. 51 E., all except SE $\frac{1}{4}$  SE $\frac{1}{4}$ , sec. 8.  
T. 23 N., R. 51 E., all.  
T. 24 N., R. 51 E., all.  
T. 21 N., R. 52 E., all.  
T. 22 N., R. 52 E., all.  
T. 23 N., R. 52 E., all.  
T. 24 N., R. 52 E., all.  
T. 21 N., R. 53 E., all except lot 1, sec. 30.  
T. 22 N., R. 53 E., all.  
T. 23 N., R. 53 E., all.  
T. 24 N., R. 53 E., all.  
T. 21 N., R. 54 E., all except SW $\frac{1}{4}$ , sec. 3.  
T. 22 N., R. 54 E., all.  
T. 23 N., R. 54 E., all except SW $\frac{1}{4}$  SE $\frac{1}{4}$ , sec. 28.  
T. 24 N., R. 54 E., all.  
T. 21 N., R. 55 E., all.  
T. 22 N., R. 55 E., all.  
T. 23 N., R. 55 E., all.

FRANKLIN D ROOSEVELT

THE WHITE HOUSE,  
April 23, 1941.

[No. 8742]

[F. R. Doc. 41-3008; Filed, April 24, 1941;  
11:13 a. m.]

#### Rules, Regulations, Orders

##### TITLE 7—AGRICULTURE

##### CHAPTER III—BUREAU OF ENTOMOLOGY AND PLANT QUARANTINE

[B.E.P.Q. 485, Eighth Revision]

##### PART 301—DOMESTIC QUARANTINE NOTICES

##### WHITE-FRINGED BEETLE REGULATIONS MODIFIED

§ 301.72a *Administrative instructions; removal of certification requirements for specified articles.*<sup>1</sup> (a) Pursuant to the authority conferred upon

<sup>1</sup> 6 F.R. 645.

the Chief of the Bureau of Entomology and Plant Quarantine by the second proviso of § 301.72, Chapter III, Title 7, Code of Federal Regulations [Notice of Quarantine No. 72, on account of the white-fringed beetle], all certification requirements are hereby waived effective May 1, 1941, for the periods specified below, for the following articles enumerated in § 301.72-3.

(1) When moved interstate from any regulated area, certification requirements are waived throughout the year for the following articles when free from soil and when sanitation practices are maintained to the satisfaction of the inspector:

Bird sand and bird gravel in packages of 5 pounds or less.

Ground peat in amounts not to exceed 5 pounds per package.

Orchid plants growing exclusively in Osmunda fiber.

Osmunda fiber (commonly known as Osmundine, or orchid peat).

Unused lumber.

Baled cotton lint and linters.

Cottonseed when free from gin trash.

(2) When moved interstate from regulated parts of the following counties or parishes: in Alabama, Mobile County; in Florida, Escambia County; in Louisiana, East Baton Rouge, Jefferson, Orleans (including the city of New Orleans), Plaquemines, and Saint Bernard Parishes; in Mississippi, counties of Jackson, Hinds, and Pearl River; certification requirements are waived until February 1, 1942, for the following articles when free from soil and when sanitation practices are maintained to the satisfaction of the inspector:

Potatoes and sweetpotatoes.

Sweetpotato vines, draws, and cuttings. Cordwood, pulpwood, stump wood, and logs.

Used or unused timbers, posts, poles, cross ties, and other building materials. Used lumber.

Hay, roughage of all kinds, and straw.

Peas, beans, and peanuts in shells, or the shells of any of these products.

Seed cotton, and cottonseed when contaminated with gin trash.

Used implements and machinery, scrap metal, junk, and utensils or containers coming in contact with the ground. Brick, tiling, stone, and concrete slabs and blocks.

Nursery stock and other plants, which are free from soil.

It has been determined that the methods under which such articles and materials are produced and handled, the maintenance of sanitation practices, or the application of control measures and natural conditions, have so decreased the intensity of infestation in certain parts of the regulated areas as to eliminate risk of spread of the white-fringed beetle, thereby justifying the removal of certification requirements as set forth above.

(b) Except as specified above, all soil, earth, sand, clay, peat, compost, and manure, whether moved independent of, or in connection with or attached to nursery stock, plants, products, articles, or things, shall remain under the restrictions of § 301.72-3 throughout the year. (Issued under § 201.72.)

This revision supersedes all previous issues of circular B.E.P.Q. 485.

Done at Washington, D. C., this 21st day of April 1941.

[SEAL] AVERY S. HOYT,  
Acting Chief.

[F. R. Doc. 41-3027; Filed, April 24, 1941;  
11:41 a. m.]

## TITLE 9—ANIMALS AND ANIMAL PRODUCTS

### CHAPTER II—AGRICULTURAL MARKETING SERVICE

#### PART 204—POSTED STOCKYARDS AND LIVE POULTRY MARKETS

NOTICE RELATIVE TO TAYLOR & WELLS AUCTION CO., FREMONT, NEBR.<sup>1</sup>

APRIL 23, 1941.

Notice to Chas. W. Taylor and Glenn E. Wells, d/b/a Taylor & Wells Auction Co., at Fremont, Nebraska.

Notice is hereby given that after inquiry, as provided by section 302 (b) of the Packers and Stockyards Act, 1921 (7 U.S.C. sec. 202 (b)), it has been ascertained by me that the stockyard known as the Taylor & Wells Auction Co., at Fremont, Nebraska, is subject to the provisions of said Act.

The attention of stockyard owners, market agencies, dealers, and other persons concerned is directed to sections 303 and 306 (7 U.S.C. secs. 203 and 207) and other pertinent provisions of said Act and the rules and regulations issued thereunder by the Secretary of Agriculture.

[SEAL] GROVER B. HILL,  
Assistant Secretary of Agriculture.

[F. R. Doc. 41-3024; Filed, April 24, 1941;  
11:40 a. m.]

#### PART 204—POSTED STOCKYARDS AND LIVE POULTRY MARKETS

NOTICE RELATIVE TO INLAND EMPIRE STOCKYARDS, SPOKANE, WASHINGTON<sup>1</sup>

APRIL 23, 1941.

Notice to Stockmen's Commission Company, at Spokane, Washington.

Whereas the Inland Empire Stockyards was posted on August 3, 1939, as a stockyard subject to the provisions of the Packers and Stockyards Act, 1921; and

Whereas it now appears that the Inland Empire Stockyards is not being

operated as a stockyard within the meaning of that term as defined in said Act:

Now, therefore, notice is hereby given that the Inland Empire Stockyards no longer comes within the foregoing definition and the provisions of Title III of said Act.

[SEAL] GROVER B. HILL,  
Assistant Secretary of Agriculture.

[F. R. Doc. 41-3023; Filed, April 24, 1941;  
11:40 a. m.]

#### PART 204—POSTED STOCKYARDS AND LIVE POULTRY MARKETS

NOTICE RELATIVE TO JONESBORO STOCKYARDS, JONESBORO, ARKANSAS<sup>1</sup>

APRIL 23, 1941.

Notice to Clarence A. Johnson, d/b/a Jonesboro Stockyards, at Jonesboro, Arkansas.

Notice is hereby given that after inquiry, as provided by section 302 (b) of the Packers and Stockyards Act, 1921 (7 U.S.C. sec. 202 (b)), it has been ascertained by me that the stockyard known as the Jonesboro Stockyards, at Jonesboro, Arkansas, is subject to the provisions of said Act.

The attention of stockyard owners, market agencies, dealers, and other persons concerned is directed to sections 303 and 306 (7 U.S.C. secs. 203 and 207) and other pertinent provisions of said Act and the rules and regulations issued thereunder by the Secretary of Agriculture.

[SEAL] GROVER B. HILL,  
Assistant Secretary of Agriculture.

[F. R. Doc. 41-3025; Filed, April 24, 1941;  
11:40 a. m.]

#### PART 204—POSTED STOCKYARDS AND LIVE POULTRY MARKETS

NOTICE RELATIVE TO LEWISTON LIVESTOCK COMMISSION COMPANY, LEWISTON, IDAHO<sup>1</sup>

APRIL 23, 1941.

Notice to L. M. Cronin, d/b/a Lewiston Livestock Commission Company, at Lewiston, Idaho.

Notice is hereby given that after inquiry, as provided by section 302 (b) of the Packers and Stockyards Act, 1921 (7 U.S.C. sec. 202 (b)), it has been ascertained by me that the stockyard known as the Lewiston Livestock Commission Company, at Lewiston, Idaho, is subject to the provisions of said Act.

The attention of stockyard owners, market agencies, dealers, and other persons concerned is directed to sections 303 and 306 (7 U.S.C. secs. 203 and 207) and other pertinent provisions of said Act and the rules and regulations issued

thereunder by the Secretary of Agriculture.

[SEAL] GROVER B. HILL,  
Assistant Secretary of Agriculture.

[F. R. Doc. 41-3026; Filed, April 24, 1941;  
11:40 a. m.]

## TITLE 16—COMMERCIAL PRACTICES

### CHAPTER I—FEDERAL TRADE COMMISSION

[Docket No. 3456]

#### PART 3—DIGEST OF CEASE AND DESIST ORDERS

##### IN THE MATTER OF SAKS AND COMPANY

§ 3.6 (r) (2.5) *Advertising falsely or misleadingly—Prices—Exaggerated as regular and customary: § 3.6 (gg) Advertising falsely or misleadingly—Value.* Representing, in connection with offer, etc., in commerce, of respondent's furs or fur products or its textile fabrics, including women's dresses and women's wearing apparel, as the customary or regular worth or value of any furs, or fur products made in whole or in part of fur, prices and values which are in excess of the price at which such products are regularly and customarily sold in the normal and usual course of business, prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., Supp. IV, sec. 45b) [Modified cease and desist order, Saks and Company, Docket 3456, April 15, 1941]

§ 3.6 (o) *Advertising falsely or misleadingly—Old as new: § 3.69 (b) (9) Misrepresenting oneself and goods—Goods—Old, secondhand or reconstructed as new—Old and used as unused or new.* Representing, in connection with offer, etc., in commerce, of respondent's furs or fur products or its textile fabrics, including women's dresses and women's wearing apparel, as new or "brand new" any fur coat which is not in fact a new fur coat, prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., Supp. IV, sec. 45b) [Modified cease and desist order, Saks and Company, Docket 3456, April 15, 1941]

§ 3.6 (c) *Advertising falsely or misleadingly—Composition of goods.* Using, in connection with offer, etc., in commerce, of respondent's furs or fur products or its textile fabrics, including women's dresses and women's wearing apparel, the unqualified term "satin", or any other descriptive terms indicative of silk, to describe, designate or in any manner refer to any fabric or product which is not composed wholly of silk, the product of the cocoon of the silkworm, prohibited; subject to the provision, however, that when said words or descriptive terms are used truthfully to designate or describe the type of weave, construction or finish, such words must be qualified by using in connection and conjunction therewith in letters of at least equal size

<sup>1</sup> Modifies list posted stockyards 9 CFR 204.1.

and conspicuousness a word or words clearly and accurately naming or describing the fibers or materials from which said products are made. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., Supp. IV, sec. 45b) [Modified cease and desist order, Saks and Company, Docket 3456, April 15, 1941]

§ 3.6 (c) *Advertising falsely or misleadingly—Composition of goods.* Using, in connection with offer, etc., in commerce, or respondent's furs or fur products or its textile fabrics, including women's dresses and women's wearing apparel, the term "silk," or any other term or terms of similar import or meaning indicative of silk, to describe or designate any fabric or product which is not composed wholly of silk, the product of the cocoon of the silkworm, prohibited; subject to the provision, however, that in the case of a fabric or product composed in part of silk and in part of materials other than silk, such term or similar terms may be used as descriptive of the silk content when immediately accompanied by a word or words accurately describing and designating such other materials. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., Supp. IV, sec. 45b) [Modified cease and desist order, Saks and Company, Docket 3456, April 15, 1941]

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 15th day of April, A. D. 1941.

This proceeding having been heard<sup>1</sup> by the Federal Trade Commission upon the complaint of the Commission, the answer of respondent, testimony and other evidence taken before Edward E. Reardon, Esq., an examiner of the Commission theretofore duly designated by it, in support of the allegations of said complaint and in opposition thereto, briefs filed herein, and oral arguments by Robert Mathis, Jr., Esq., a counsel for the Commission, and by Horace G. Hitchcock, Esq., of the firm of Chadbourne, Wallace, Parke & Whiteside, counsel for the respondent, and the Commission having made its findings as to the facts and its conclusion that said respondent had violated the provisions of the Federal Trade Commission Act, and having, on April 3, 1940, issued and, on April 4, 1940, served upon the respondent its order to cease and desist from said violations of said Act; and said respondent, on June 3, 1940, having petitioned the United Circuit Court of Appeals for the Second Circuit to review and set aside said order to cease and desist; and the Commission having thereafter certified and filed in said Court a transcript of the entire record in the proceeding theretofore pending before it, in which said order to cease and desist was entered; and said respondent having filed in said Court a printed transcript of said record and its brief; and the parties having, on March 28, 1941, executed a stipulation by the

terms of which said respondent agreed to dismiss its said petition for review, and said Commission agreed, upon the dismissal of said petition for review, to set aside its said order to cease and desist issued on April 3, 1940, and in lieu thereof to make, enter and serve upon respondent a modified order to cease and desist, as provided in said stipulation; and said Circuit Court of Appeals, on April 2, 1941, on motion of said respondent, having entered its order dismissing said petition for review; and the Commission having set aside its said order to cease and desist issued on April 3, 1940; and being fully advised in the premises:

*It is ordered,* That the respondent, Saks and Company, a corporation, its officers, representatives, agents and employees, directly or through any corporate or other device, in connection with the offering for sale, sale and distribution of its furs or fur products or its textile fabrics, including women's dresses and women's wearing apparel, in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

(1) Representing as the customary or regular worth or value of any furs, or fur products made in whole or in part of fur, prices and values which are in excess of the price at which such products are regularly and customarily sold in the normal and usual course of business;

(2) Representing as new or "brand new" any fur coat which is not in fact a new fur coat;

(3) Using the unqualified descriptive term "satin," or any other descriptive terms indicative of silk, to describe, designate or in any manner refer to any fabric or product which is not composed wholly of silk, the product of the cocoon of the silkworm: *Provided, however,* That when said words or descriptive terms are used truthfully to designate or describe the type of weave, construction or finish, such words must be qualified by using in connection and conjunction therewith in letters of at least equal size and conspicuity a word or words clearly and accurately naming or describing the fibers or materials from which said products are made;

(4) Using the term "silk," or any other term or terms of similar import or meaning indicative of silk, to describe or designate any fabric or product which is not composed wholly of silk, the product of the cocoon of the silkworm: *Provided,* That in the case of a fabric or product composed in part of silk and in part of materials other than silk, such term or similar terms may be used as descriptive of the silk content when immediately accompanied by a word or words accurately describing and designating such other materials.

*It is further ordered,* That the respondent shall, within sixty (60) days after service upon it of this order, file with the Commission a report in writing, setting

forth in detail the manner and form in which it has complied with this order.

By the Commission.

[SEAL]

OTIS B. JOHNSON,  
Secretary.

[F. R. Doc. 41-3009; Filed, April 24, 1941;  
11:34 a. m.]

[Docket No. 4355]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

IN THE MATTER OF RAMSDELL PACKING COMPANY

§ 3.45 (e) (1) *Discriminating in price—Indirect discrimination—Brokerage payments.* In connection with the sale and distribution of sardines in interstate commerce and in the District of Columbia, (1) selling sardines to customers, the sales to whom are effected directly by respondent, at a price reflecting a reduction from the prices at which respondent is currently selling such sardines to other customers in an amount equivalent to brokerage currently being paid by respondent to its brokers for effecting sales of sardines to other purchasers thereof; (2) selling sardines to customers, the sales to whom are effected through brokers to whom respondent does not pay the full brokerage customarily and usually paid by respondent to its brokers for effecting sales of sardines, at a price reflecting a reduction from the prices at which respondent is currently selling sardines to other customers in an amount equivalent to brokerage currently paid by respondent to its brokers for effecting sales of sardines; and (3) continuing or resuming the practices forbidden in prohibitions (1) and (2) hereof, or by any other means, paying or granting, directly or indirectly, to buyers on their own purchases of sardines any commission, brokerage, or other compensation, or any allowance or discount in lieu thereof; prohibited. (Sec. 2 (c), 49 Stat. 1527; 15 U.S.C., Supp. IV, sec. 13 (c) [Cease and desist order, Ramsdell Packing Company, Docket 4355, April 15, 1941])

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 15th day of April, A. D. 1941.

This proceeding having been heard<sup>1</sup> by the Federal Trade Commission upon the complaint of the Commission and the answer duly filed by respondent Ramsdell Packing Company, a corporation, which answer admits all of the material allegations of the complaint to be true and waives the taking of further evidence and all other intervening procedure and further hearings as to said facts, and the

Commission having made its findings as to the facts and conclusion herein that said respondent, Ramsdell Packing Company, a corporation, has violated the provisions of "An Act to supplement existing laws against unlawful restraints and monopolies and for other purposes", approved October 15, 1914, as amended by the Robinson-Patman Act, approved June 19, 1936 (U.S.C., Title 15, sec. 13);

*It is ordered*, That the respondent, Ramsdell Packing Company, a corporation, its officers, representatives, agents and employees, in connection with the sale and distribution of sardines in interstate commerce and in the District of Columbia, do forthwith cease and desist from:

(1) Selling sardines to customers, the sales to whom are effected directly by respondent, at a price reflecting a reduction from the prices at which respondent is currently selling such sardines to other customers in an amount equivalent to brokerage currently being paid by respondent to its brokers for effecting sales of sardines to other purchasers thereof.

(2) Selling sardines to customers, the sales to whom are effected through brokers to whom respondent does not pay the full brokerage customarily and usually paid by respondent to its brokers for effecting sales of sardines, at a price reflecting a reduction from the prices at which respondent is currently selling sardines to other customers in an amount equivalent to brokerage and approximately equal to the difference between the full brokerage customarily paid by respondent to its brokers for effecting such sales and the amount of brokerage actually paid by respondent to its brokers for effecting said sales; and (3) continuing or resuming the practices forbidden in prohibitions (1) and (2) hereof, or by any other means, paying or granting, directly or indirectly, to buyers on their own purchases of sardines any commission, brokerage, or other compensation, or any allowance or discount in lieu thereof.

(3) From continuing or resuming the practices forbidden in Paragraphs (1) and (2) hereof, or by any other means paying or granting, directly or indirectly, to buyers on their own purchases of sardines any commission, brokerage, or other compensation, or any allowance or discount in lieu thereof.

*It is further ordered*, That the said respondent, Ramsdell Packing Company, a corporation, within sixty (60) days after service upon it of this order, shall file with the Commission a report in writing setting forth in detail the manner and form in which it is complying, and has complied, with the order to cease and desist hereinabove set forth.

By the Commission.

[SEAL] OTIS B. JOHNSON,  
Secretary.

[F. R. Doc. 41-3010; Filed, April 24, 1941;  
11:34 a.m.]

[Docket No. 4356]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

IN THE MATTER OF SEABOARD PACKING COMPANY

§ 3.45 (e) (1) *Discriminating in price—Indirect discrimination—Brokerage*

payments. In connection with the sale and distribution of sardines in interstate commerce and in the District of Columbia, (1) selling sardines to customers, the sales to whom are effected directly by respondent, at a price reflecting a reduction from the prices at which respondent is currently selling such sardines to other customers in an amount equivalent to brokerage currently being paid by respondent to its brokers for effecting sales of sardines to other purchasers thereof; (2) selling sardines to customers, the sales to whom are effected through brokers to whom respondent does not pay the full brokerage customarily and usually paid by respondent to its brokers for effecting sales of sardines, at a price reflecting a reduction from the prices at which respondent is currently selling sardines to other customers in an amount equivalent to brokerage and approximately equal to the difference between the full brokerage customarily paid by respondent to its brokers for effecting such sales and the amount of brokerage actually paid by respondent to its brokers for effecting said sales; and (3) continuing or resuming the practices forbidden in prohibitions (1) and (2) hereof, or by any other means, paying or granting, directly or indirectly, to buyers on their own purchases of sardines any commission, brokerage, or other compensation, or any allowance or discount in lieu thereof.

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 15th day of April, A. D. 1941.

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission and the answer duly filed by respondent Seaboard Packing Company, a corporation, which answer admits all of the material allegations of the complaint to be true and waives the taking of further evidence and all other intervening procedure as to said facts and expressly waives the filing of briefs and oral argument, and the Commission having made its findings as to the facts and conclusion herein that said respondent, Seaboard Packing Company, a corporation, has violated the provisions of "An Act to supplement existing laws against unlawful restraints and monopolies and for other purposes", approved October 15, 1914, as amended by the Robinson-Patman Act, approved June 19, 1936 (U.S.C., Title 15, sec. 13);

*It is ordered*, That the respondent, Seaboard Packing Company, a corporation, its officers, representatives, agents and employees, in connection with the sale and distribution of sardines in interstate commerce and in the District of Columbia, do forthwith cease and desist from:

(1) Selling sardines to customers, the sales to whom are effected directly by respondent, at a price reflecting a reduction from the prices at which respondent is currently selling such sardines to other customers in an amount equivalent to brokerage currently being paid by respondent to its brokers for effecting sales of sardines to other purchasers thereof.

(2) Selling sardines to customers, the sales to whom are effected through brokers to whom respondent does not pay the full brokerage customarily and usually paid by respondent to its brokers for effecting sales of sardines, at a price reflecting a reduction from the prices at which respondent is currently selling sardines to other customers in an amount equivalent to brokerage and approximately equal to the difference between the full brokerage customarily paid by respondent to its brokers for effecting such sales and the amount of brokerage actually paid by respondent to its brokers for effecting said sales.

(3) From continuing or resuming the practices forbidden in Paragraphs (1) and (2) hereof, or by any other means paying or granting, directly or indirectly, to buyers on their own purchases of sardines any commission, brokerage, or other compensation, or any allowance or discount in lieu thereof.

*It is further ordered*, That the said respondent, Seaboard Packing Company, a corporation, within sixty (60) days after service upon it of this order, shall file with the Commission a report in writing setting forth in detail the manner and form in which it is complying, and has complied, with the order to cease and desist hereinabove set forth.

By the Commission.

[SEAL] OTIS B. JOHNSON,  
Secretary.

[F. R. Doc. 41-3011; Filed, April 24, 1941;  
11:35 a.m.]

[Docket No. 4357]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

IN THE MATTER OF MACHIASPORT CANNING COMPANY

§ 3.45 (e) (1) *Discriminating in price—Indirect discrimination—Brokerage payments*. In connection with the sale and distribution of sardines in interstate commerce and in the District of Columbia, (1) selling sardines to customers, the sales to whom are effected directly by respondent, at a price reflecting a reduction from the prices at which respondent is currently selling such sardines to other customers in an amount equivalent to brokerage currently being paid by respondent to its brokers for effecting sales of sardines to other purchasers thereof; (2) selling sardines to customers, the sales to whom are effected through brokers to whom respondent does not pay the full brokerage

customarily and usually paid by respondent to its brokers for effecting sales of sardines, at a price reflecting a reduction from the prices at which respondent is currently selling sardines to other customers in an amount equivalent to brokerage and approximately equal to the difference between the full brokerage customarily paid by respondent to its brokers for effecting such sales and the amount of brokerage actually paid by respondent to its brokers for effecting said sales; and (3) continuing or resuming the practices forbidden in prohibitions (1) and (2) hereof, or by any other means, paying or granting, directly or indirectly, to buyers on their own purchases of sardines any commission, brokerage, or other compensation, or any allowance or discount in lieu thereof; prohibited. (Sec. 2 (c), 49 Stat. 1527; 15 U.S.C., Supp. IV, sec. 13 (c)) [Cease and desist order Machiasport Canning Company, Docket 4357, April 15, 1941]

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 15th day of April, A. D. 1941.

This proceeding having been heard<sup>1</sup> by the Federal Trade Commission upon the complaint of the Commission and the answer duly filed by respondent Machiasport Canning Company, a corporation, which answer admits all of the material allegations of the complaint to be true and waives the taking of further evidence and all other intervening procedure as to said facts and expressly waives the filing of briefs and oral argument, and the Commission having made its findings as to the facts and conclusion herein that said respondent, Machiasport Canning Company, a corporation, has violated the provisions of "An Act to supplement existing laws against unlawful restraints and monopolies and for other purposes", approved October 15, 1914, as amended by the Robinson-Patman Act, approved June 19, 1936 (U.S.C., Title 15, sec. 13);

*It is ordered*, That the respondent, Machiasport Canning Company, a corporation, its officers, representatives, agents and employees, in connection with the sale and distribution of sardines in interstate commerce and in the District of Columbia, do forthwith cease and desist from:

(1) Selling sardines to customers, the sales to whom are effected directly by respondent, at a price reflecting a reduction from the prices at which respondent is currently selling such sardines to other customers in an amount equivalent to brokerage currently being paid by respondent to its brokers for effecting sales of sardines to other purchasers thereof.

(2) Selling sardines to customers, the sales to whom are effected through brokers to whom respondent does not pay the full brokerage customarily and usually paid by respondent to its brokers for effecting sales of sardines, at a price

reflecting a reduction from the prices at which respondent is currently selling sardines to other customers in an amount equivalent to brokerage and approximately equal to the difference between the full brokerage customarily paid by respondent to its brokers for effecting such sales and the amount of brokerage actually paid by respondent to its brokers for effecting said sales.

(3) From continuing or resuming the practices forbidden in Paragraphs (1) and (2) hereof, or by any other means paying or granting, directly or indirectly, to buyers on their own purchases of sardines any commission, brokerage, or other compensation, or any allowance or discount in lieu thereof.

*It is further ordered*, That the said respondent, Machiasport Canning Company, a corporation, within sixty (60) days after service upon it of this order, shall file with the Commission a report in writing setting forth in detail the manner and form in which it is complying, and has complied, with the order to cease and desist hereinabove set forth.

By the Commission.

[SEAL]

OTIS B. JOHNSON,  
Secretary.

[F. R. Doc. 41-3012; Filed, April 24, 1941;  
11:35 a. m.]

[Docket No. 4358]

#### PART 3—DIGEST OF CEASE AND DESIST ORDERS

##### IN THE MATTER OF HOLMES PACKING CORPORATION

§ 3.45 (e) (1) *Discriminating in price—Indirect discrimination—Brokerage payments.* In connection with the sale and distribution of sardines in interstate commerce and in the District of Columbia, (1) selling sardines to customers, the sales to whom are effected directly by respondent, at a price reflecting a reduction from the prices at which respondent is currently selling such sardines to other customers in an amount equivalent to brokerage currently being paid by respondent to its brokers for effecting sales of sardines to other purchasers thereof; (2) selling sardines to customers, the sales to whom are effected through brokers to whom respondent does not pay the full brokerage customarily and usually paid by respondent to its brokers for effecting sales of sardines, at a price reflecting a reduction from the prices at which respondent is currently selling sardines to other customers in an amount equivalent to brokerage and approximately equal to the difference between the full brokerage customarily paid by respondent to its brokers for effecting such sales and the amount of brokerage actually paid by respondent to its brokers for effecting said sales.

(2) From continuing or resuming the practices forbidden in Paragraphs (1) and (2) hereof, or by any other means paying or granting, directly or indirectly, to buyers on their own purchases of sardines any commission, brokerage, or

allowance or discount in lieu thereof; prohibited. (Sec. 2 (c), 49 Stat. 1527; 15 U.S.C., Supp. IV, sec. 13 (c)) [Cease and desist order Holmes Packing Corporation, Docket 4358, April 15, 1941]

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 15th day of April, A. D. 1941.

This proceeding having been heard<sup>1</sup> by the Federal Trade Commission upon the complaint of the Commission and the answer duly filed by respondent Holmes Packing Corporation, a corporation, which answer admits all of the material allegations of the complaint to be true and waives the taking of further evidence and all other intervening procedure as to said facts and expressly waives the filing of briefs and oral argument, and the Commission having made its findings as to the facts and conclusion herein that said respondent, Holmes Packing Corporation, a corporation, has violated the provisions of "An Act to supplement existing laws against unlawful restraints and monopolies and for other purposes", approved October 15, 1914, as amended by the Robinson-Patman Act, approved June 19, 1936 (U.S.C., Title 15, sec. 13);

*It is ordered*, That the respondent, Holmes Packing Corporation, a corporation, its officers, representatives, agents and employees, in connection with the sale and distribution of sardines in interstate commerce and in the District of Columbia, do forthwith cease and desist from:

(1) Selling sardines to customers, the sales to whom are effected directly by respondent, at a price reflecting a reduction from the prices at which respondent is currently selling such sardines to other customers in an amount equivalent to brokerage currently being paid by respondent to its brokers for effecting sales of sardines to other purchasers thereof.

(2) Selling sardines to customers, the sales to whom are effected through brokers to whom respondent does not pay the full brokerage customarily and usually paid by respondent to its brokers for effecting sales of sardines, at a price reflecting a reduction from the prices at which respondent is currently selling sardines to other customers in an amount equivalent to brokerage and approximately equal to the difference between the full brokerage customarily paid by respondent to its brokers for effecting such sales and the amount of brokerage actually paid by respondent to its brokers for effecting said sales.

(3) From continuing or resuming the practices forbidden in Paragraphs (1) and (2) hereof, or by any other means paying or granting, directly or indirectly, to buyers on their own purchases of sardines any commission, brokerage, or

other compensation, or any allowance or discount in lieu thereof.

*It is further ordered.* That the said respondent, Holmes Packing Corporation, a corporation, within sixty (60) days after service upon it of this order, shall file with the Commission a report in writing setting forth in detail the manner and form in which it is complying, and has complied, with the order to cease and desist hereinabove set forth.

By the Commission.

[SEAL]

OTIS B. JOHNSON,  
Secretary.

[F. R. Doc. 41-3013; Filed, April 24, 1941;  
11:35 a. m.]

[Docket No. 4359]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

IN THE MATTER OF R. J. PEACOCK CANNING COMPANY

§ 3.45 (e) (1) *Discriminating in price—Indirect discrimination—Brokerage payments.* In connection with the sale and distribution of sardines in interstate commerce and in the District of Columbia, (1) selling sardines to customers, the sales to whom are effected directly by respondent, at a price reflecting a reduction from the prices at which respondent is currently selling such sardines to other customers in an amount equivalent to brokerage currently being paid by respondent to its brokers for effecting sales of sardines to other purchasers thereof; (2) selling sardines to customers, the sales to whom are effected through brokers to whom respondent does not pay the full brokerage customarily and usually paid by respondent to its brokers for effecting sales of sardines, at a price reflecting a reduction from the prices at which respondent is currently selling sardines to other customers in an amount equivalent to brokerage and approximately equal to the difference between the full brokerage customarily paid by respondent to its brokers for effecting such sales and the amount of brokerage actually paid by respondent to its brokers for effecting said sales; and (3) continuing or resuming the practices forbidden in prohibitions (1) and (2) hereof, or by any other means, paying or granting, directly or indirectly, to buyers on their own purchases of sardines any commission, brokerage, or other compensation, or any allowance or discount in lieu thereof; prohibited. (Sec. 2 (c), 49 Stat. 1527; 15 U.S.C., Supp. IV, sec. 13 (c)) [Cease and desist order, R. J. Peacock Canning Company, Docket 4359, April 15, 1941]

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 15th day of April, A. D. 1941.

This proceeding having been heard<sup>1</sup> by the Federal Trade Commission upon the complaint of the Commission and the an-

swer duly filed by respondent R. J. Peacock Canning Company, a corporation, which answer admits all of the material allegations of the complaint to be true and waives the taking of further evidence and all other intervening procedure as to said facts, and expressly waives the filing of briefs and oral argument, and the Commission having made its findings as to the facts and conclusion herein that said respondent, R. J. Peacock Canning Company, a corporation, has violated the provisions of "An Act to supplement existing laws against unlawful restraints and monopolies and for other purposes", approved October 15, 1914, as amended by the Robinson-Patman Act, approved June 19, 1936 (U.S.C., Title 15, sec. 13);

*It is ordered.* That the respondent, R. J. Peacock Canning Company, a corporation, its officers, representatives, agents and employees, in connection with the sale and distribution of sardines in interstate commerce and in the District of Columbia, do forthwith cease and desist from:

(1) Selling sardines to customers, the sales to whom are effected directly by respondent, at a price reflecting a reduction from the prices at which respondent is currently selling such sardines to other customers in an amount equivalent to brokerage currently being paid by respondent to its brokers for effecting sales of sardines to other purchasers thereof.

(2) Selling sardines to customers, the sales to whom are effected through brokers to whom respondent does not pay the full brokerage customarily and usually paid by respondent to its brokers for effecting sales of sardines at a price reflecting a reduction from the prices at which respondent is currently selling sardines to other customers in an amount equivalent to brokerage and approximately equal to the difference between the full brokerage customarily paid by respondent to its brokers for effecting such sales and the amount of brokerage actually paid by respondent to its brokers for effecting said sales.

(3) Continuing or resuming the practices forbidden in Paragraphs (1) and (2) hereof, or by any other means paying or granting, directly or indirectly, to buyers on their own purchases of sardines any commission, brokerage, or other compensation, or any allowance or discount in lieu thereof.

*It is further ordered.* That the said respondent, R. J. Peacock Canning Company, a corporation, within sixty (60) days after service upon it of this order, shall file with the Commission a report in writing setting forth in detail the manner and form in which it is complying, and has complied, with the order to cease and desist hereinabove set forth.

By the Commission.

[SEAL]

OTIS B. JOHNSON,  
Secretary.

[F. R. Doc. 41-3014; Filed, April 24, 1941;  
11:36 a. m.]

[Docket No. 4360]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

IN THE MATTER OF JONESPORT PACKING COMPANY

§ 3.45 (e) (1) *Discriminating in price—Indirect discrimination—Brokerage payments.* In connection with the sale and distribution of sardines in interstate commerce and in the District of Columbia, (1) selling sardines to customers, the sales to whom are effected directly by respondent, at a price reflecting a reduction from the prices at which respondent is currently selling such sardines to other customers in an amount equivalent to brokerage currently being paid by respondent to its brokers for effecting sales of sardines to other pur-

chasers thereof; (2) selling sardines to customers, the sales to whom are effected through brokers to whom respondent does not pay the full brokerage customarily and usually paid by respondent to its brokers for effecting sales of sardines to other purchasers thereof; (3) continuing or resuming the practices forbidden in prohibitions (1) and (2) hereof, or by any other means, paying or granting, directly or indirectly, to buyers on their own purchases of sardines any commission, brokerage, or other compensation, or any allowance or discount in lieu thereof; prohibited. (Sec. 2 (c), 49 Stat. 1527; 15 U.S.C., Supp. IV, sec. 13 (c)) [Cease and desist order, Jonesport Packing Company, Docket 4360, April 15, 1941]

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 15th day of April, A. D. 1941.

This proceeding having been heard<sup>1</sup> by the Federal Trade Commission upon the complaint of the Commission and the answer duly filed by respondent Jonesport Packing Company, a corporation, which answer admits all of the material allegations of the complaint to be true and waives the taking of further evidence and all other intervening procedure as to said facts, and expressly waives the filing of briefs and oral argument, and the Commission having made its findings as to the facts and conclusion herein that said respondent, Jonesport Packing Company, a corporation, has violated the provisions of "An Act to supplement existing laws against unlawful restraints and monopolies and for other purposes", approved October 15, 1914, as amended by the Robinson-Patman Act, approved June 19, 1936 (U. S. C., Title 15, sec. 13);

<sup>1</sup> 5 F.R. 4288.

*It is ordered.* That the respondent, Jonesport Packing Company, a corporation, its officers, representatives, agents and employees, in connection with the sale and distribution of sardines in interstate commerce and in the District of Columbia, do forthwith cease and desist from:

(1) Selling sardines to customers, the sales to whom are effected directly by respondent, at a price reflecting a reduction from the prices at which respondent is currently selling such sardines to other customers in an amount equivalent to brokerage currently being paid by respondent to its brokers for effecting sales of sardines to other purchasers thereof.

(2) Selling sardines to customers, the sales to whom are effected through brokers to whom respondent does not pay the full brokerage customarily and usually paid by respondent to its brokers for effecting sales of sardines, at a price reflecting a reduction from the prices at which respondent is currently selling sardines to other customers in an amount equivalent to brokerage and approximately equal to the difference between the full brokerage customarily paid by respondent to its brokers for effecting such sales and the amount of brokerage actually paid by respondent to its brokers for effecting said sales; and (3) continuing or resuming the practices forbidden in prohibitions (1) and (2) hereof, or by any other means, paying or granting, directly or indirectly, to buyers on their own purchases of sardines any commission, brokerage, or other compensation, or any allowance or discount in lieu thereof; prohibited. (Sec. 2 (c), 49 Stat. 1527; 15 U.S.C., Supp. IV, sec. 13 (c))

[Cease and desist order, Sunset Packing Company, Inc., Docket 4361, April 15, 1941]

which respondent is currently selling such sardines to other customers in an amount equivalent to brokerage currently being paid by respondent to its brokers for effecting sales of sardines to other purchasers thereof; (2) selling sardines to customers, the sales to whom are effected through brokers to whom respondent does not pay the full brokerage customarily and usually paid by respondent to its brokers for effecting sales of sardines, at a price reflecting a reduction from the prices at which respondent is currently selling sardines to other customers in an amount equivalent to brokerage and approximately equal to the difference between the full brokerage customarily paid by respondent to its brokers for effecting such sales and the amount of brokerage actually paid by respondent to its brokers for effecting said sales.

(3) From continuing or resuming the practices forbidden in Paragraphs (1) and (2) hereof, or by any other means paying or granting, directly or indirectly, to buyers on their own purchases of sardines any commission, brokerage, or other compensation, or any allowance or discount in lieu thereof.

from the prices at which respondent is currently selling sardines to other customers in an amount equivalent to brokerage and approximately equal to the difference between the full brokerage customarily paid by respondent to its brokers for effecting such sales and the amount of brokerage actually paid by respondent to its brokers for effecting said sales; and (3) continuing or resuming the practices forbidden in prohibitions (1) and (2) hereof, or by any other means, paying or granting, directly or indirectly, to buyers on their own purchases of sardines any commission, brokerage, or other compensation, or any allowance or discount in lieu thereof; prohibited. (Sec. 2 (c), 49 Stat. 1527; 15 U.S.C., Supp. IV, sec. 13 (c)) [Cease and desist order, Stinson Canning Company, etc., Docket 4362, April 15, 1941]

*In the Matter of Calvin L. Stinson and John W. Stinson, Copartners, Doing Business Under the Firm Name and Style of Stinson Canning Company and Addison Packing Company*

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 15th day of April, A. D. 1941.

This proceeding having been heard<sup>1</sup> by the Federal Trade Commission upon the complaint of the Commission and the answer duly filed by respondent Calvin L. Stinson doing business under the firm names and styles of Stinson Canning Company and Addison Packing Company, which answer states that since the issuance of the complaint John W. Stinson has died and proceeds to admit all of the material allegations of the complaint to be true and waives the taking of further evidence and all other intervening procedure as to said facts, and expressly waives the filing of briefs and oral argument; and the Commission having made its findings as to the facts and conclusion herein that said respondents Calvin L. Stinson and John W. Stinson, copartners, doing business under the firm names and styles of Stinson Canning Company and Addison Packing Company, violated the provisions of "An Act to supplement existing laws against unlawful restraints and monopolies and for other purposes," approved October 15, 1914, as amended by the Robinson-Patman Act, approved June 19, 1936 (U.S.C., Title 15, sec. 13):

*It is ordered*, That said complaint be, and the same hereby is, dismissed as to respondent John L. Stinson, deceased.

*It is further ordered*, That the respondent, Calvin L. Stinson, doing business under the firm name and style of Stinson Canning Company and Addison Packing Company, and respondent's officers, representatives, agents and employees, in connection with the sale and distribution of sardines in interstate commerce and in the District of Columbia, do forthwith cease and desist from:

(1) Selling sardines to customers, the sales to whom are effected directly by respondent, at a price reflecting a reduction from the prices at which respondent is currently selling such sardines to other customers in an amount equivalent to brokerage currently being paid by respondent to its brokers for effecting sales of sardines to other purchasers thereof.

(2) Selling sardines to customers, the sales to whom are effected through brokers to whom respondent does not pay the full brokerage customarily and usually paid by respondent to its brokers for effecting sales of sardines, at a price reflecting a reduction from the prices at which respondent is currently selling sardines to other customers in an amount equivalent to brokerage and approximately equal to the difference between the full brokerage customarily paid by respondent to its brokers for effecting such sales and the amount of brokerage actually paid by respondent to its brokers for effecting said sales; and (3) continuing or resuming the practices forbidden in prohibitions (1) and (2) hereof, or by any other means, paying or granting, directly or indirectly, to buyers on their own purchases of sardines any commission, brokerage, or other compensation, or any allowance or discount in lieu thereof; prohibited. (Sec. 2 (c), 49 Stat. 1527; 15 U.S.C., Supp. IV, sec. 13 (c)) [Cease and desist order, Royal River Packing Corporation, Docket 4410, April 15, 1941]

(3) From continuing or resuming the practices forbidden in Paragraphs (1) and (2) hereof, or by any other means paying or granting, directly or indirectly, to buyers on their own purchases of sardines any commission, brokerage, or other compensation, or any allowance or discount in lieu thereof.

*It is further ordered*, That the said respondent Calvin L. Stinson, doing business under the firm name and style of Stinson Canning Company and Addison Packing Company, within sixty (60) days after service upon him of this order, shall file with the Commission a report in writing setting forth in detail the manner and form in which he is complying, and has complied, with the order to cease and desist hereinabove set forth.

By the Commission.

[SEAL] OTIS B. JOHNSON,  
Secretary.

[F. R. Doc. 41-3017; Filed, April 24, 1941;  
11:37 a. m.]

[Docket No. 4410]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

IN THE MATTER OF ROYAL RIVER PACKING CORPORATION

§ 3.45 (e) (1) *Discriminating in price—Indirect discrimination—Brokerage payments.* In connection with the sale and distribution of sardines in interstate commerce and in the District of Columbia, (1) selling sardines to customers, the sales to whom are effected directly by respondent, at a price reflecting a reduction from the prices at which respondent is currently selling such sardines to other customers in an amount equivalent to brokerage currently being paid by respondent to its brokers for effecting sales of sardines to other purchasers thereof; (2) selling sardines to customers, the sales to whom are effected

through brokers to whom respondent does not pay the full brokerage customarily and usually paid by respondent to its brokers for effecting sales of sardines, at a price reflecting a reduction from the prices at which respondent is currently selling sardines to other customers in an amount equivalent to brokerage and approximately equal to the difference between the full brokerage customarily paid by respondent to its brokers for effecting such sales and the amount of brokerage actually paid by respondent to its brokers for effecting said sales; and (3) continuing or resuming the practices forbidden in prohibitions (1) and (2) hereof, or by any other means, paying or granting, directly or indirectly, to buyers on their own purchases of sardines any commission, brokerage, or other compensation, or any allowance or discount in lieu thereof; prohibited. (Sec. 2 (c), 49 Stat. 1527; 15 U.S.C., Supp. IV, sec. 13 (c)) [Cease and desist order, Royal River Packing Corporation, Docket 4410, April 15, 1941]

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 15th day of April, A. D. 1941.

This proceeding having been heard<sup>1</sup> by the Federal Trade Commission upon the complaint of the Commission and the answer duly filed by respondent Royal River Packing Corporation, a corporation, which answer admits all of the material allegations of the complaint to be true and waives the taking of further evidence and all other intervening procedure as to said facts and expressly waives the filing of briefs and oral argument, and the Commission having made its findings as to the facts and conclusion herein that said respondent, Royal River Packing Corporation, a corporation, has violated the provisions of "An Act to supplement existing laws against unlawful restraints and monopolies and for other purposes," approved October 15, 1914, as amended by the Robinson-Patman Act, approved June 19, 1936 (U.S.C., Title 15, sec. 13);

*It is ordered*, That the respondent, Royal River Packing Corporation, a corporation, its officers, representatives, agents and employees, in connection with the sale and distribution of sardines in interstate commerce and in the District of Columbia, do forthwith cease and desist from:

(1) Selling sardines to customers, the sales to whom are effected directly by respondent, at a price reflecting a reduction from the prices at which respondent is currently selling such sardines to other customers in an amount equivalent to brokerage currently being paid by respondent to its brokers for effecting sales of sardines to other purchasers thereof.

(2) Selling sardines to customers, the sales to whom are effected through brokers to whom respondent does not pay

the full brokerage customarily and usually paid by respondent to its brokers for effecting sales of sardines, at a price reflecting a reduction from the prices at which respondent is currently selling sardines to other customers in an amount equivalent to brokerage and approximately equal to the difference between the full brokerage customarily paid by respondent to its brokers for effecting such sales and the amount of brokerage actually paid by respondent to its brokers for effecting said sales.

(3) From continuing or resuming the practices forbidden in Paragraphs (1) and (2) hereof, or by any other means paying or granting, directly or indirectly, to buyers on their own purchases of sardines any commission, brokerage, or other compensation, or any allowance or discount in lieu thereof.

*It is further ordered*, That the said respondent, Royal River Packing Corporation, a corporation, within sixty (60) days after service upon it of this order, shall file with the Commission a report in writing setting forth in detail the manner and form in which it is complying, and has complied, with the order to cease and desist hereinabove set forth.

By the Commission.

[SEAL] OTIS B. JOHNSON,  
Secretary.

[F. R. Doc. 41-3018; Filed, April 24, 1941;  
11:37 a. m.]

[Docket No. 4411]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

IN THE MATTER OF BELFAST PACKING COMPANY

§ 3.45 (e) (1) *Discriminating in price—Indirect discrimination—Brokerage payments.* In connection with the sale and distribution of sardines in interstate commerce and in the District of Columbia, (1) selling sardines to customers, the sales to whom are effected directly by respondent, at a price reflecting a reduction from the prices at which respondent is currently selling such sardines to other customers in an amount equivalent to brokerage currently being paid by respondent to its brokers for effecting sales of sardines to other purchasers thereof; (2) selling sardines to customers, the sales to whom are effected through brokers to whom respondent does not pay the full brokerage customarily and usually paid by respondent to its brokers for effecting sales of sardines, at a price reflecting a reduction from the prices at which respondent is currently selling sardines to other customers in an amount equivalent to brokerage and approximately equal to the difference between the full brokerage customarily paid by respondent to its brokers for effecting such sales and the amount of brokerage actually paid by respondent to its brokers for effecting said sales; and (3) continuing or

resuming the practices forbidden in prohibitions (1) and (2) hereof, or by any other means, paying or granting, directly or indirectly, to buyers on their own purchases of sardines any commission, brokerage, or other compensation, or any allowance or discount in lieu thereof; prohibited. (Sec. 2 (c), 49 Stat. 1527; 15 U.S.C., Supp. IV, sec. 13 (c)) [Cease and desist order Belfast Packing Company, Docket 4411, April 15, 1941]

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 15th day of April, A. D. 1941.

This proceeding having been heard<sup>1</sup> by the Federal Trade Commission upon the complaint of the Commission and the answer duly filed by respondent Belfast Packing Company, a corporation, which answer admits all of the material allegations of the complaint to be true and waives the taking of further evidence and all other intervening procedure as to said facts and expressly waives the filing of briefs and oral argument, and the Commission having made its findings as to the facts and conclusion herein that said respondent, Belfast Packing Company, a corporation, has violated the provisions of "An Act to supplement existing laws against unlawful restraints and monopolies and for other purposes", approved October 15, 1914, as amended by the Robinson-Patman Act, approved June 19, 1936 (U.S.C., Title 15, sec. 13);

*It is ordered*, That the respondent, Belfast Packing Company, a corporation, its officers, representatives, agents and employees, in connection with the sale and distribution of sardines in interstate commerce and in the District of Columbia, do forthwith cease and desist from:

(1) Selling sardines to customers, the sales to whom are effected directly by respondent, at a price reflecting a reduction from the prices at which respondent is currently selling such sardines to other customers in an amount equivalent to brokerage currently being paid by respondent to its brokers for effecting sales of sardines to other purchasers thereof.

(2) Selling sardines to customers, the sales to whom are effected through brokers to whom respondent does not pay the full brokerage customarily and usually paid by respondent to its brokers for effecting sales of sardines, at a price reflecting a reduction from the prices at which respondent is currently selling sardines to other customers in an amount equivalent to brokerage and approximately equal to the difference between the full brokerage customarily paid by respondent to its brokers for effecting such sales and the amount of brokerage actually paid by respondent to its brokers for effecting said sales.

(3) From continuing or resuming the practices forbidden in Paragraphs (1) and (2) hereof, or by any other means

paying or granting, directly or indirectly, to buyers on their own purchases of sardines any commission, brokerage, or other compensation, or any allowance or discount in lieu thereof.

*It is further ordered*, That the said respondent, Belfast Packing Company, a corporation, within sixty (60) days after service upon it of this order, shall file with the Commission a report in writing setting forth in detail the manner and form in which it is complying, and has complied, with the order to cease and desist hereinabove set forth.

By the Commission.

[SEAL]

OTIS B. JOHNSON,  
Secretary.

[F. R. Doc. 41-3019; Filed, April 24, 1941;  
11:37 a. m.]

[Docket No. 4412]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

IN THE MATTER OF NORTH LUBEC MANUFACTURING & CANNING COMPANY

§ 3.45 (e) (1) *Discriminating in price—Indirect discrimination—Brokerage payments.* In connection with the sale and distribution of sardines in interstate commerce and in the District of Columbia, (1) selling sardines to customers, the sales to whom are effected directly by respondent, at a price reflecting a reduction from the prices at which respondent is currently selling such sardines to other customers in an amount equivalent to brokerage currently being paid by respondent to its brokers for effecting sales of sardines to other purchasers thereof; (2) selling sardines to customers, the sales to whom are effected through brokers to whom respondent does not pay the full brokerage customarily and usually paid by respondent to its brokers for effecting sales of sardines, at a price reflecting a reduction from the prices at which respondent is currently selling sardines to other customers in an amount equivalent to brokerage and approximately equal to the difference between the full brokerage customarily paid by respondent to its brokers for effecting such sales and the amount of brokerage actually paid by respondent to its brokers for effecting said sales; and (3) continuing or resuming the practices forbidden in prohibitions (1) and (2) hereof, or by any other means, paying or granting, directly or indirectly, to buyers on their own purchases of sardines any commission, brokerage, or other compensation, or any allowance or discount in lieu thereof; prohibited. (Sec. 2 (c), 49 Stat. 1527; 15 U.S.C., Supp. IV, sec. 13 (c)) [Cease and desist order, North Lubec Manufacturing & Canning Company, Docket 4412, April 15, 1941]

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 15th day of April, A. D. 1941.

## FEDERAL REGISTER, Friday, April 25, 1941

This proceeding having been heard<sup>1</sup> by the Federal Trade Commission upon the complaint of the Commission and the answer duly filed by respondent North Lubec Manufacturing & Canning Company, a corporation, which answer admits all of the material allegations of the complaint to be true and waives the taking of further evidence and all other intervening procedure as to said facts and expressly waives the filing of briefs and oral argument, and the Commission having made its findings as to the facts and conclusion herein that said respondent, North Lubec Manufacturing & Canning Company, a corporation, has violated the provisions of "An Act to supplement existing laws against unlawful restraints and monopolies and for other purposes", approved October 15, 1914, as amended by the Robinson-Patman Act, approved June 19, 1936 (U.S.C., Title 15, sec. 13);

*It is ordered,* That the respondent, North Lubec Manufacturing & Canning Company, a corporation, its officers, representatives, agents and employees, in connection with the sale and distribution of sardines in interstate commerce and in the District of Columbia, do forthwith cease and desist from:

(1) Selling sardines to customers, the sales to whom are effected directly by respondent, at a price reflecting a reduction from the prices at which respondent is currently selling such sardines to other customers in an amount equivalent to brokerage currently being paid by respondent to its brokers for effecting sales of sardines to other purchasers thereof.

(2) Selling sardines to customers, the sales to whom are effected through brokers to whom respondent does not pay the full brokerage customarily and usually paid by respondent to its brokers for effecting sales of sardines, at a price reflecting a reduction from the prices at which respondent is currently selling sardines to other customers in an amount equivalent to brokerage and approximately equal to the difference between the full brokerage customarily paid by respondent to its brokers for effecting such sales and the amount of brokerage actually paid by respondent to its brokers for effecting said sales.

(3) From continuing or resuming the practices forbidden in Paragraphs (1) and (2) hereof, or by any other means paying or granting, directly or indirectly, to buyers on their own purchases of sardines any commission, brokerage, or other compensation, or any allowance or discount in lieu thereof.

*It is further ordered* That the said respondent, North Lubec Manufacturing & Canning Company, a corporation, within sixty (60) days after service upon it of this order, shall file with the Commission a report in writing setting forth in detail the manner and form in which it is com-

plying, and has complied, with the order to cease and desist hereinabove set forth.  
By the Commission.

[SEAL] OTIS B. JOHNSON,  
Secretary.

[F. R. Doc. 41-3020; Filed, April 24, 1941;  
11:38 a. m.]

[Docket No. 4413]

#### PART 3—DIGEST OF CEASE AND DESIST ORDERS

##### IN THE MATTER OF UNION SARDINE COMPANY

§ 3.45 (e) (1) *Discriminating in price—Indirect discrimination—Brokerage payments.* In connection with the sale and distribution of sardines in interstate commerce and in the District of Columbia, (1) selling sardines to customers, the sales to whom are effected directly by respondent, at a price reflecting a reduction from the prices at which respondent is currently selling such sardines to other customers in an amount equivalent to brokerage currently being paid by respondent to its brokers for effecting sales of sardines to other purchasers thereof; and (2) continuing or resuming the practices forbidden in prohibition (1) hereof, or by any other means, paying or granting, directly or indirectly, to buyers on their own purchases of sardines any commission, brokerage, or other compensation, or any allowance or discount in lieu thereof; prohibited. (Sec. 2 (c), 49 Stat. 1527; 15 U.S.C., Supp. IV, sec. 13 (c) [Cease and desist order, Union Sardine Company, Docket 4413, April 15, 1941]

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 15th day of April, A. D. 1941.

This proceeding having been heard<sup>1</sup> by the Federal Trade Commission upon the complaint of the Commission and the answer duly filed by respondent Union Sardine Company, a corporation, which answer admits all of the material allegations of the complaint to be true and waives the taking of further evidence and all other intervening procedure as to said facts and expressly waives the filing of briefs and oral argument, and the Commission having made its findings as to the facts and conclusion herein that said respondent, Union Sardine Company, a corporation, has violated the provisions of "An Act to supplement existing laws against unlawful restraints and monopolies and for other purposes", approved October 15, 1914, as amended by the Robinson-Patman Act, approved June 19, 1936 (U.S.C., Title 15, sec. 13);

*It is ordered,* That the respondent, Union Sardine Company, a corporation, its officers, representatives, agents and employees, in connection with the sale and distribution of sardines in interstate

commerce and in the District of Columbia, do forthwith cease and desist from:

(1) Selling sardines to customers, the sales to whom are effected directly by respondent, at a price reflecting a reduction from the prices at which respondent is currently selling such sardines to other customers in an amount equivalent to brokerage currently being paid by respondent to its brokers for effecting sales of sardines to other purchasers thereof.

(2) From continuing or resuming the practices forbidden in Paragraph (1) hereof, or by any other means paying or granting, directly or indirectly, to buyers on their own purchases of sardines any commission, brokerage, or other compensation, or any allowance or discount in lieu thereof.

*It is further ordered,* That the said respondent, Union Sardine Company, a corporation, within sixty (60) days after service upon it of this order, shall file with the Commission a report in writing setting forth in detail the manner and form in which it is complying, and has complied, with the order to cease and desist hereinabove set forth.

By the Commission.

[SEAL] OTIS B. JOHNSON,  
Secretary.

[F. R. Doc. 41-3021; Filed, April 24, 1941;  
11:38 a. m.]

[Docket No. 4414]

#### PART 3—DIGEST OF CEASE AND DESIST ORDERS

##### IN THE MATTER OF BOOTH FISHERIES CORPORATION

§ 3.45 (e) (1) *Discriminating in price—Indirect discrimination—Brokerage payments.* In connection with the sale and distribution of sardines in interstate commerce and in the District of Columbia, (1) selling sardines to customers, the sales to whom are effected directly by respondent, at a price reflecting a reduction from the prices at which respondent is currently selling such sardines to other customers in an amount equivalent to brokerage currently being paid by respondent to its brokers for effecting sales of sardines to other purchasers thereof; (2) selling sardines to customers, the sales to whom are effected through brokers to whom respondent does not pay the full brokerage customarily and usually paid by respondent to its brokers for effecting sales of sardines, at a price reflecting a reduction from the prices at which respondent is currently selling sardines to other customers in an amount equivalent to brokerage and approximately equal to the difference between the full brokerage customarily paid by respondent to its brokers for effecting such sales and the amount of brokerage actually paid by respondent to its brokers for effect-

ing said sales; and (3) continuing or resuming the practices forbidden in prohibitions (1) and (2) hereof, or by any other means, paying or granting, directly or indirectly, to buyers on their own purchases of sardines any commission, brokerage, or other compensation, or any allowance or discount in lieu thereof; prohibited. (Sec. 2 (c), 49 Stat. 1527; 15 U.S.C., Supp. IV, sec. 13 (c). [Cease and desist order Booth Fisheries Corporation, Docket 4414, April 15, 1941.]

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 15th day of April, A. D. 1941.

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission and the answer duly filed by respondent Booth Fisheries Corporation, a corporation, which answer admits all of the material allegations of the complaint to be true and waives the taking of further evidence and all other intervening procedure as to said facts and expressly waives the filing of briefs and oral argument, and the Commission having made its findings as to the facts and conclusion herein that said respondent, Booth Fisheries Corporation, through its subsidiary Booth Fisheries Sardine Company, a corporation, has violated the provisions of "An Act to supplement existing laws against unlawful restraints and monopolies and for other purposes," approved October 15, 1914, as amended by the Robinson-Patman Act, approved June 19, 1936 (U.S.C., Title 15, sec. 13):

*It is ordered*, That the respondent, Booth Fisheries Corporation, a corporation, its officers, representatives, agents, and employees, directly or through any corporate or other device, in connection with the sale and distribution of sardines in interstate commerce and in the District of Columbia, do forthwith cease and desist from:

(1) Selling sardines to customers, the sales to whom are effected directly by respondent, at a price reflecting a reduction from the prices at which respondent is currently selling such sardines to other customers in an amount equivalent to brokerage currently being paid by respondent to its brokers for effecting sales of sardines to other purchasers thereof.

(2) Selling sardines to customers, the sales to whom are effected through brokers to whom respondent does not pay the full brokerage customarily and usually paid by respondent to its brokers for effecting sales of sardines, at a price reflecting a reduction from the prices at which respondent is currently selling sardines to other customers in an amount equivalent to brokerage and approximately equal to the difference between the full brokerage customarily paid by respondent to its brokers for effecting such sales and the amount of brokerage actually paid by respondent to its brokers for effecting said sales.

(3) From continuing or resuming the practices forbidden in Paragraphs (1) and (2) hereof, or by any other means paying or granting, directly or indirectly, to buyers on their own purchases of sardines any commission, brokerage, or other compensation, or any allowance or discount in lieu thereof.

*It is further ordered*, That the said respondent, Booth Fisheries Corporation, a corporation, within sixty (60) days after service upon it of this order, shall file with the Commission a report in writing setting forth in detail the manner and form in which said subsidiary is complying, and has complied, with the order to cease and desist hereinabove set forth.

By the Commission.

[SEAL] OTIS B. JOHNSON,  
Secretary.

[F. R. Doc. 41-3022; Filed, April 24, 1941;  
11:38 a. m.]

## TITLE 32—NATIONAL DEFENSE CHAPTER VII—SELECTIVE SERVICE SYSTEM

[Order No. 8]

### MARIETTA CAMP PROJECT

I, Lewis B. Hershey, Acting Director of Selective Service, in accordance with the provisions of section 5 (g) of the Selective Training and Service Act of 1940 and pursuant to authorization and direction contained in Executive Order No. 8675<sup>1</sup> dated February 6, 1941, hereby designate the Marietta Camp project to be work of national importance. Said camp, located at Marietta, Washington County, Ohio, will be the base of operations for forest nursery work in the State of Ohio, and registrants under the Selective Training and Service Act, who have been classified by their local boards as conscientious objectors to both combatant and noncombatant military service and have been placed in Class IV-E, may be assigned to said camp in lieu of their induction for military service.

The work to be undertaken by the men assigned to said Marietta Camp will consist primarily of labor in connection with a forest nursery—soil preparation, seeding and sodding, landscaping—and the construction of a water reservoir with pipe lines, and shall be under the technical direction of the Ohio State Division of Forestry and the general supervision of the Forest Service of the United States Department of Agriculture insofar as concerns the planning and direction of the work program and the furnishing of construction equipment. The camp, insofar as camp management is concerned, will be under the direction of approved representatives of the National Service Board for Religious Objectors. Men shall be assigned to and

retained in the camp in accordance with the provisions of the Selective Service Act and Regulations and orders promulgated thereunder. Administrative and directive control shall be under the Selective Service System through the Manpower Division of the Operations Group of National Selective Service Headquarters, or such other agencies of the System as may from time to time be designated by the Director.

LEWIS B. HERSHHEY,  
Deputy Director.

APRIL 19, 1941.

[F. R. Doc. 41-3005; Filed, April 24, 1941;  
9:40 a. m.]

## Notices

### NAVY DEPARTMENT.

Bureau of Ordnance.

[NOs-83947]

### SUMMARY OF CONTRACT FOR EQUIPMENT CONTRACTOR: POLLAK MANUFACTURING COMPANY, ARLINGTON, NEW JERSEY

Under date of April 7, 1941, the Navy Department entered into a contract with the Pollak Manufacturing Company of Arlington, New Jersey, for the manufacture of items of Ordnance equipment at a total cost of \$1,156,932. The contract is a fixed-price contract and contains the usual clauses as to delays, damages, use of domestic articles, and National Defense Contract Clause.

W. H. P. BLANDY,  
Real Admiral, U. S. N.,  
Chief of the Bureau of Ordnance.

[F. R. Doc. 41-3003; Filed, April 23, 1941;  
3:43 p. m.]

### DEPARTMENT OF THE INTERIOR.

Bituminous Coal Division.

[Docket No. A-771]

### PETITION OF DISTRICT BOARD 10, REQUESTING REVISION OF THE EFFECTIVE MINIMUM PRICES ESTABLISHED FOR CERTAIN TRUCK MINES IN MARSHALL COUNTY, SECTION 2 OF DISTRICT NO. 10

### NOTICE OF AND ORDER FOR HEARING AND ORDER GRANTING TEMPORARY RELIEF

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party;

*It is ordered*, That a hearing in the above-entitled matter be held, under the applicable provisions of said Act and the rules and regulations of the Division, on May 20, 1941, at 10 o'clock a. m. (eastern standard time) in a hearing room of the Bituminous Coal Division, 734 15th Street NW, Washington, D. C. On such day the Chief of the Records Section in Room 502 will advise as to the room in which such hearing will be held.

<sup>1</sup> 5 F.R. 5188.

16 F.R. 831.

## FEDERAL REGISTER, Friday, April 25, 1941

*It is further ordered,* That Edw. J. Hayes or any other officer or officers of the Division duly designated for that purpose shall preside at the hearing in such matter. The officers so designated to preside at such hearing are hereby authorized to conduct said hearing, to administer oaths and affirmations, examine witnesses, compel their attendance, take evidence, require the production of any books, papers, correspondence, memoranda, or other records deemed relevant or material to the inquiry, to continue said hearing from time to time, and to prepare and submit to the Director proposed findings of fact and conclusions and the recommendation of an appropriate order in the premises, and to perform all other duties in connection therewith authorized by law.

Notice of such hearing is hereby given to all parties herein and to persons or entities having an interest in this proceeding and eligible to become parties herein. Any person desiring to be admitted as a party to this proceeding may file a petition of intervention in accordance with the rules and regulations of the Bituminous Coal Division for proceedings instituted pursuant to section 4 II (d) of the Act, setting forth the facts on the basis of which the relief in the original petition is supported or opposed or on the basis of which other relief is sought. Such petitions of intervention shall be filed with the Bituminous Coal Division on or before May 14, 1941.

The matter concerned herewith is in regard to the petition of District Board 10, requesting revision of price classifications and minimum prices established for certain truck mines in Marshall County, Section 2 of District No. 10.

All persons are hereby notified that the hearing in the above-entitled matter and any orders therein may concern, in addition to the matters specifically alleged in the petition, other matters necessarily incidental and related thereto, which may be raised by amendment of the original petition, petitions of interveners, or otherwise, or which may be necessary corollaries to the relief, if any, granted on the basis of said original petition.

*It is further ordered,* That, a reasonable showing of the necessity therefor having been made, pending final disposition of the petition in the above-entitled matter, temporary relief be, and it hereby is, granted as follows: Commencing forthwith, and supplementing the Schedule of Effective Minimum Prices for District No. 10 for Truck Shipments, the coals referred to in the schedule marked "Temporary Supplement", annexed hereto and made part hereof, shall be subject to minimum prices as provided in said schedule.

Notice is hereby given that applications to stay, terminate or modify the temporary relief herein granted may be filed pursuant to the Rules and Regulations Governing Practice and Procedure

before the Bituminous Coal Division in Proceedings Instituted Pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

Dated: April 23, 1941.

[SEAL]

H. A. GRAY,  
Director.

[F. R. Doc. 41-3035; Filed, April 24, 1941;  
12:01 p. m.]

[Docket No. A-803]

PETITION OF THE RAYMOND CITY COAL & TRANSPORTATION CORPORATION, A PRODUCER IN DISTRICT NO. 8, FOR A CHANGE IN THE EFFECTIVE MINIMUM PRICE OF SIZE GROUPS 18 TO 21 COAL PRODUCED AT THE MONARCH MINE, MINE INDEX NO. 338, OF THE KANAWHA BY-PRODUCTS COAL COMPANY, A PRODUCER IN DISTRICT NO. 8

NOTICE OF AND ORDER FOR HEARING

A petition, pursuant to the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party;

*It is ordered,* That a hearing in the above-entitled matter under the applicable provisions of said Act and the rules of the Division be held on May 19, 1941, at 10 o'clock in the forenoon of that day, at a hearing room of the Bituminous Coal Division, 734 Fifteenth Street NW, Washington, D. C. On such day the Chief of the Records Section in room 502 will advise as to the room where such hearing will be held.

*It is further ordered,* That Floyd McGown or any other officer or officers of the Division duly designated for that purpose shall preside at the hearing in such matter. The officers so designated to preside at such hearing are hereby authorized to conduct said hearing, to administer oaths and affirmations, examine witnesses, subpoena witnesses, compel their attendance, take evidence, require the production of any books, papers, correspondence, memoranda, or other records deemed relevant or material to the inquiry, to continue said hearing from time to time, and to prepare and submit to the Director proposed findings of fact and conclusions and the recommendation of an appropriate order in the premises, and to perform all other duties in connection therewith authorized by law.

Notice of such hearing is hereby given to all parties herein and to persons or entities having an interest in these proceedings and eligible to become a party herein. Any person desiring to be admitted as a party to this proceeding may file a petition of intervention in accordance with the rules and regulations of the Bituminous Coal Division for proceedings instituted pursuant to section 4 II (d) of the Act, setting forth the facts on the basis of which the relief in the original petition is supported or opposed or on the basis of which other relief is

sought. Such petitions of intervention shall be filed with the Bituminous Coal Division on or before May 14, 1941.

All persons are hereby notified that the hearing in the above-entitled matter and any orders entered therein, may concern, in addition to the matters specifically alleged in the petition, other matters necessarily incidental and related thereto, which may be raised by amendment to the petition, petitions of interveners or otherwise, or which may be necessary corollaries to the relief, if any, granted on the basis of this petition.

The matter concerned herewith is in regard to the petition of the Raymond City Coal & Transportation Corporation, a code member in District No. 8 and a successor to the Monarch Mine, Mine Index No. 338 of the Kanawha By-Products Coal Company, a producer in District No. 8, for a change in the price classifications and minimum prices in Size Groups 18 to 21, inclusive, from "G" to "J" for all shipments except truck to all market areas, and more particularly to Southwestern Ohio, Southern and Central Indiana, and Northcentral and Northwestern Kentucky.

Dated: April 23, 1941.

[SEAL]

H. A. GRAY,  
Director.

[F. R. Doc. 41-3034; Filed, April 24, 1941;  
12:01 p. m.]

[Docket No. A-805]

PETITION OF BITUMINOUS COAL PRODUCERS BOARD FOR DISTRICT NO. 13 FOR MODIFICATION OF THE EFFECTIVE MINIMUM PRICE SCHEDULE FOR DISTRICT NO. 13 FOR ALL SHIPMENTS EXCEPT TRUCK

NOTICE OF AND ORDER FOR HEARING

A petition, pursuant to the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party;

*It is ordered,* That a hearing in the above-entitled matter under the applicable provisions of said Act and the rules of the Division be held on May 13, 1941, at 10 o'clock in the forenoon of that day, at a hearing room of the Bituminous Coal Division, 734 Fifteenth Street NW, Washington, D. C. On such day the Chief of the Records Section in room 502 will advise as to the room where such hearing will be held.

*It is further ordered,* That Charles S. Mitchell or any other officer or officers of the Division duly designated for that purpose shall preside at the hearing in such matter. The officers so designated to preside at such hearing are hereby authorized to conduct said hearing, to administer oaths and affirmations, examine witnesses, subpoena witnesses, compel their attendance, take evidence, require the production of any books, papers, correspondence, memoranda, or other records deemed relevant or material to the inquiry, to continue said hear-

ing from time to time, and to prepare and submit to the Director proposed findings of fact and conclusions and the recommendation of an appropriate order in the premises, and to perform all other duties in connection therewith authorized by law.

Notice of such hearing is hereby given to all parties herein and to persons or entities having an interest in these proceedings and eligible to become a party herein. Any person desiring to be admitted as a party to this proceeding may file a petition of intervention in accordance with the rules and regulations of the Bituminous Coal Division for proceedings instituted pursuant to section 4 II (d) of the Act, setting forth the facts on the basis of which the relief in the original petition is supported or opposed or on the basis of which other relief is sought. Such petitions of intervention shall be filed with the Bituminous Coal Division on or before May 8, 1941.

All persons are hereby notified that the hearing in the above-entitled matter and any orders entered therein, may concern, in addition to the matters specifically alleged in the petition, other matters necessarily incidental and related thereto, which may be raised by amendment to the petition, petitions of intervenors or otherwise, or which may be necessary corollaries to the relief, if any, granted on the basis of this petition.

The matter concerned herewith is in regard to the petition of District Board No. 13 for a modification of the Schedule of Effective Minimum Prices for District No. 13 for All Shipments Except Truck, by deleting the note on page 8, of said schedule, pertaining to Market Area 121 for shipments to Alabama City, Alabama, only.

Dated: April 23, 1941.

[SEAL]

H. A. GRAY,  
Director.

[F. R. Doc. 41-3036; Filed, April 24, 1941;  
12:01 p. m.]

#### FEDERAL POWER COMMISSION.

[Docket No. IT-5665]

IN THE MATTER OF THE CONNECTICUT  
LIGHT AND POWER COMPANY

#### ORDER POSTPONING HEARING

APRIL 22, 1941.

Upon the application filed April 18, 1941, by The Connecticut Light and Power Company for postponement of the hearing in the above entitled cause to begin not earlier than June 11, 1941;

It appearing to the Commission that: Good cause has been shown for such postponement;

The Commission orders that: The hearing in this proceeding heretofore set by order of March 25, 1941, to commence May 6, 1941, at 9:30 a. m., be and the same hereby is postponed to commence June 11, 1941, at 9:45 a. m., in the hearing room of the Federal Power Commiss-

sion, Hurley-Wright Building, 1800 Pennsylvania Avenue NW., Washington, D. C.  
By the Commission.

[SEAL]

LEON M. FUQUAY,  
Secretary.

[F. R. Doc. 41-3004; Filed, April 24, 1941;  
9:37 a. m.]

#### FEDERAL TRADE COMMISSION.

[Docket No. 3032]

IN THE MATTER OF FEDERAL TRADE COMMISSION V. BIDDLE PURCHASING COMPANY

ORDER APPOINTING JOHN W. NORWOOD TO TAKE TESTIMONY AND RECEIVE EVIDENCE IN BEHALF OF THE FEDERAL TRADE COMMISSION, SPECIAL MASTER

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 22d day of April, A. D. 1941.

This matter being at issue before the United States Circuit Court of Appeals for the Second Circuit, and pursuant to an order entered by said Court under date of March 13, 1941, wherein the aforesaid Court appointed and designated the Federal Trade Commission, Special Master, to take evidence upon the question whether or not Biddle Purchasing Company has violated a Decree heretofore entered by said Court.

*It is ordered*, That John W. Norwood, a trial examiner of this Commission, be and is hereby designated to act for and in behalf of The Federal Trade Commission, Special Master, for the purpose of taking testimony and receiving evidence in this proceeding.

Upon the completion of the taking of testimony and evidence as herein ordered, the said John W. Norwood will then report thereon to the Federal Trade Commission, Special Master, with the evidence taken.

*It is further ordered*, That the said John W. Norwood, be and is hereby directed to proceed promptly to set dates for the taking of testimony and receiving of evidence and to expedite the aforesaid proceedings consistent with reason and good judgment.

By the Commission.

[SEAL]

OTIS B. JOHNSON,  
Secretary.

[F. R. Doc. 41-3033; Filed, April 24, 1941;  
11:54 a. m.]

#### SECURITIES AND EXCHANGE COMMISSION.

[File No. 70-298]

IN THE MATTER OF INTERNATIONAL UTILITIES CORPORATION

ORDER PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission held at its

office in the City of Washington, D. C., on the 23d day of April, A. D. 1941.

The above-named person having filed a declaration pursuant to the Public Utility Holding Company Act of 1935, particularly section 12 (c) thereof and Rule U-12C-2 thereunder, regarding the declaration and payment by International Utilities Corporation, a registered holding company, out of capital or unearned surplus, of a regular quarterly dividend on May 1, 1941, on its \$3.50 Prior Preferred Stock, at the rate of 87½¢ a share on the 98,968 shares of such stock presently outstanding, the aggregate amount of such payment being \$86,579;

Said declaration having been filed on April 8, 1941, and certain amendments having been filed thereto, the last of said amendments having been filed on April 18, 1941, and Notice of said filing having been duly given in the form and manner prescribed by Rule U-8 promulgated pursuant to said Act, and the Commission not having received a request for a hearing with respect to said declaration within the period specified in said Notice, or otherwise, and not having ordered a hearing thereon; and

The above-named person having requested that said declaration, as amended, become effective on or before April 21, 1941; and

The Commission deeming it appropriate in the public interest and in the interest of investors and consumers to permit the said declaration pursuant to Rule U-12C-2 to become effective and being satisfied that the effective date of such declaration, as amended, should be advanced;

*It is hereby ordered*, Pursuant to said Rule U-8 and the applicable provisions of said Act, subject to the terms and conditions prescribed in Rule U-9, that the aforesaid declaration, as amended, be and hereby is permitted to become effective forthwith.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR,  
Secretary.

[F. R. Doc. 41-3032; Filed, April 24, 1941;  
11:57 a. m.]

[File Nos. 59-17; 54-25]

IN THE MATTER OF THE UNITED LIGHT AND POWER COMPANY, THE UNITED LIGHT AND RAILWAYS COMPANY, AMERICAN LIGHT & TRACTION COMPANY, CONTINENTAL GAS & ELECTRIC CORPORATION, UNITED AMERICAN COMPANY, AND IOWA-NEBRASKA LIGHT & POWER COMPANY, RESPONDENTS; THE UNITED LIGHT AND POWER COMPANY, APPLICANT

NOTICE OF AND ORDER RECONVENING HEARING, FOR PURPOSE OF CONSIDERING RESPONDENTS' "APPLICATION NUMBER 1"

At a regular session of the Securities and Exchange Commission, held at its office in the City of Washington, D. C., on the 24th day of April, A. D. 1941.

The Commission having previously, by order entered in these proceedings on March 20, 1941, ordered among other things the dissolution of The United Light and Power Company, and said order having provided that the respondents should make application to the Commission for the entry of such further orders as were necessary or appropriate for that purpose, and the Commission having reserved jurisdiction to enter such further orders as might be necessary or appropriate with respect to other matters in this proceeding; and

The United Light and Power Company and The United Light and Railways Company having filed, on April 21, 1941, an application, designated as "Application No. 1," with respect to the sale of their interests in Northern Natural Gas Company, a registered holding company and one of its subsidiaries, which sale is proposed to be made through underwriters; said stock interest is now represented by 17,050 shares of common stock, being 35% of the total outstanding common stock of said Northern Natural Gas Company, and which shares are proposed to be reclassified into 355,250 shares, each share having a par value of \$20.00 (as more fully proposed in declaration heretofore filed by said Northern Natural Gas Company as File No. 70-286).

It appearing to the Commission that it is appropriate in the public interest and in the interest of investors and consumers that the hearings herein be convened for the purpose of considering said Application No. 1;

*It is ordered,* That the hearing in this proceeding shall be reconvened at the office of the Securities and Exchange Commission, 1778 Pennsylvania Avenue NW, Washington, D. C. in such room as may be designated on such date by the Hearing Room Clerk in Room 1102, at 10:00 A. M. on the 5th day of May 1941. At said reconvened hearing on that day the issues will be limited to a consideration of the matters presented by said Application Number 1 with respect to the sale by said respondents of their interests in Northern Natural Gas Company.

*It is further ordered,* That without limiting the scope of issues presented by said application, particular attention will be directed at said hearing to the following matters and questions:

(1) Whether the proposed offering price represents a fair consideration for the sale of the stock owned by the applicant and will also represent a fair price to the public;

(2) Whether the proposed transaction generally will be detrimental to the public interest and the interest of investors or consumers;

(3) Whether the fees, commissions and expenses in connection with such proposed sale are fair and reasonable; and

(4) Whether the proposed sale is otherwise in accordance with the applicable provisions of said Act and is consistent with the carrying out by said respondents of the requirements of the aforesaid order of March 20, 1941, previously entered in these proceedings.

It further appearing that this matter involves common questions of fact with the matter presented by the declaration filed by North American Light & Power Company on April 22, 1941, as File No. 70-302 under which application said North American Light & Power Company proposes to sell its stock interest in Northern Natural Gas Company;

*It is further ordered,* That this matter shall be consolidated for the purpose of hearing (but not, unless otherwise hereafter ordered, for the purpose of disposition or for other purposes) with the hearing, in the said matter of North American Light & Power Company, File No. 70-302, with respect to said sale of stock by North American Light & Power Company.

By the Commission.

[SEAL] FRANCIS P. BRASSOR,  
Secretary.

[F. R. Doc. 41-3031; Filed, April 24, 1941;  
11:57 a. m.]

[File No. 70-302]

IN THE MATTER OF NORTH AMERICAN LIGHT  
& POWER COMPANY

NOTICE OF FILING OF DECLARATION AND ORDER  
FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Washington, D. C., on the 24th day of April, A. D. 1941.

Notice is hereby given that a declaration has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by the above named party; and

All interested persons are referred to said declaration, which is on file in the office of said Commission, for a statement of the transactions therein proposed, which are summarized below:

Declarant proposes to offer for sale through underwriters all of the common stock which it owns of Northern Natural Gas Company, a registered holding company and one of its subsidiaries, which stock interest is now represented by 71,050 shares of common stock, being 35% of the total outstanding common stock of said Northern Natural Gas Company, and which shares are proposed to be reclassified into 355,250 shares, each share having a par value of \$20.00 (as more fully proposed in declaration heretofore filed by said Northern Natural Gas Company as File No. 70-286).

It appearing to the commission that it is appropriate in the public interest and in the interest of investors and consumers that a hearing be held with respect to said declaration and that said

declaration shall not become effective except pursuant to the further order of the Commission and that at said hearing there shall be considered among other things the several matters hereinafter set forth;

*It is ordered,* That a hearing on such matters under the applicable provisions of said Act and the rules of the Commission thereunder be held on May 5, 1941 at 10:00 A. M. at the office of the Securities and Exchange Commission, 1778 Pennsylvania Avenue NW, Washington, D. C. On such day the hearing room clerk in Room 1102 will advise as to the room wherein such hearing will be held. At such hearing if in respect of this declaration, cause shall be shown why such declaration shall become effective.

*It is further ordered,* That Richard Townsend or any other officer or officers of the Commission designated by it for that purpose shall preside at the hearing in such matter. The officer so designated to preside is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of said Act and to a trial examiner under the Commission's Rules of Practice.

*It is further ordered,* That without limiting the scope of issues presented by said declaration, particular attention will be directed at said hearing to the following matters and questions:

(1) Whether the proposed offering price represents a fair consideration for the sale of the stock owned by the declarant and will also represent a fair price to the public;

(2) Whether the proposed transaction generally will be detrimental to the public interest or the interest of investors or consumers; and

(3) Whether the fees, commissions and expenses in connection with such proposed sale are fair and reasonable.

It further appearing that this matter involves common questions of fact with the matter presented by the application designated as "Application No. 1", filed by The United Light and Railways Company on April 21, 1941 in *In the Matter of The United Light and Power Company, et al.*, File Nos. 59-17 and 54-25, under which application said The United Light and Railways Company proposes to sell its stock interest in Northern Natural Gas Company;

*It is further ordered,* That this matter shall be consolidated for the purposes of hearing (but not, unless otherwise hereafter ordered, for the purpose of disposition or for other purposes) with the hearing, in the said matter of The United Light and Power Company, File Nos. 59-17 and 54-25, with respect to said sale of stock by The United Light and Railways Company.

By the Commission.

[SEAL] FRANCIS P. BRASSOR,  
Secretary.

[F. R. Doc. 41-3030; Filed, April 24, 1941;  
11:57 a. m.]